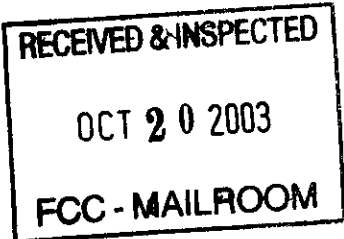


CLASSIC ARTS SHOWCASE

A Channel for the Arts



October 10, 2003

Marlene Dortch, Esquire
Secretary
Federal Communications Commission
445 12th St SW
Washington, DC 20554

Re Docket # MB 03-206

Dear Ms Dortch

I am writing regarding the Daystar Television Network Request for Section 403 Inquiry and Declaratory Ruling. I represent the Lloyd E. Rigler/Lawrence E. Deutsch Foundation, which funds and operates the public interest channel, Classic Arts Showcase. We are interested in commenting on the filing as it concerns the trade of "must carry" local stations in exchange for a public interest channel position.

The Classic Arts Showcase channel, in existence since 1994, is designed to encourage interest in classic arts disciplines such as ballet, opera, chamber and choral music, museum art, musical theater, and more. Our mission, simply, is to create a new and future audience for the classic arts, which are in serious decline. More and more theatres and concert halls are playing to fewer and fewer people. As audiences age and die they are not being replaced with new audience members. As a result of their decreased ticket sales, theatres are forced to raise prices, making the arts exclusionary and available only to the wealthy. This sort of class elitism is terrible for the living arts as it forces companies to produce only popular works, and reject more vital, new productions. The only way to keep the arts alive is to inspire and create a new audience for the arts. And the only way to inspire a new audience is to expose as many people as possible to the arts. This is what our program attempts to do. And it's working – viewers write to us every day to express their newfound interest in the arts, and have been going out and supporting the arts organizations in their communities.

While we try to appeal to the widest audience possible, we are proud that many school systems count on us to help educate their students on the classic arts; with music and arts programs being the target of budget cuts in many public schools around the nation, Classic Arts Showcase has become a critical lifeline to teach these arts to the next generation.

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Classic Arts Showcase is currently carried on hundreds cable systems around the nation via PBS, PEG and other non-commercial systems, and we are available via satellite to them for free, 24 hours a day, 7 days a week. We are a wholly philanthropic venture, without any commercial interests, and accept or solicit no outside funding or fees. Our Foundation considers Classic Arts Showcase to be an educational and cultural gift to the nation. Our program very much qualifies as a "public interest" channel, and deserves serious carriage consideration by DBS systems.

Classic Arts Showcase previously applied for carriage on a DISH Network public interest channel but our application was declined. We currently have reapplied for carriage on a DISH Network, and will also be applying to DirecTV. We are concerned that other public interest channels already have been, or will be, considered over Classic Arts Showcase merely because they have something of extreme value to trade for the public interest channel that Classic Arts Showcase does not – specifically, local television stations that the satellite system has to carry under "must carry" laws. These must carry stations constitute an *asset* that DBS operators are receiving in exchange for public interest carriage. We believe payment (and an exchange of "must carry" status for preferred placement as a public interest channel is, clearly, *payment*) of this type is excess compensation to the satellite operator in violation of FCC public interest rules and discriminates against other public interest programmers like ourselves.

Classic Arts Showcase believes all public interest channels should be chosen from a "level playing field" so that all have a fair opportunity to gain placement on this valuable public trust.

Thank you for your kind attention to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charlie Mount', followed by a long horizontal line extending to the right.

Charlie Mount
Classic Arts Showcase
General Manager

The Lloyd E. Rigler - Lawrence E. Deutsch Foundation